

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 7328

Investigation into Vermont Marble Power Division of )  
OMYA, Inc.'s 2007 Integrated Resource Plan )

Order entered: 7/8/2010

**ORDER EXTENDING DEADLINE FOR FILING NEXT INTEGRATED RESOURCE PLAN**

Our October 1, 2008, Order in this Docket required the Vermont Marble Power Division of OMYA, Inc. ("Vermont Marble") to file its next Integrated Resource Plan ("IRP") on or before June 30, 2010.

On June 25, 2010, Vermont Marble filed a letter requesting an extension of time to file its next IRP. In this letter, Vermont Marble notes that it and Central Vermont Public Service Corporation ("CVPS") have recently announced an agreement by which Vermont Marble would sell, and CVPS would acquire, certain assets of Vermont Marble, including the hydroelectric generating stations, the transmission and distribution systems, and the customer-service territory now served by Vermont Marble. Vermont Marble states that if the transaction with CVPS is consummated, Vermont Marble's system will be integrated with CVPS's system and included in CVPS's IRP. Vermont Marble also asserts that it is facing resource constraints since the same staff who are involved with the sale transaction would also be involved in the preparation of Vermont Marble's IRP. Finally, Vermont Marble states that its last two IRPs cost well in excess of \$50,000 each, not including regulatory expenditure related to the review and approval of the IRPs; according to Vermont Marble, these expenditures "would be for naught" if the transaction with CVPS is completed.<sup>1</sup> Therefore, Vermont Marble requests that the deadline for filing its next IRP be extended to six months after the transaction with CVPS is terminated (unless the transaction with CVPS is consummated, in which case Vermont Marble would no longer exist and no separate IRP would be required).

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1. Letter from Edward V. Schwiebert, Kenlan, Schwiebert Facey & Goss, P.C., on behalf of Vermont Marble, to Susan M. Hudson, Clerk, Board, dated June 22, 2010, at 2.

Vermont Marble's letter states that the DPS does not oppose Vermont Marble's request, and that CVPS understands and concurs with Vermont Marble's request.

We are persuaded that it is appropriate to grant Vermont Marble's request for an extension of time to file its next IRP. However, we note that we would not know if CVPS and Vermont Marble were to terminate the transaction prior to filing for Board approval of it. Therefore, we grant Vermont Marble's requested extension to six months after the termination of the transaction with CVPS or Board denial of the transaction, and require Vermont Marble to promptly notify the Board of any such termination, if it were to occur, so that the due date for Vermont Marble's next IRP can be readily determined.

**SO ORDERED.**

Dated at Montpelier, Vermont, this 8<sup>th</sup> day of July, 2010.

<u>s/ James Volz</u>	)	
	)	
	)	PUBLIC SERVICE
<u>s/ David C. Coen</u>	)	
	)	BOARD
	)	
	)	OF VERMONT
<u>s/ John D. Burke</u>	)	

OFFICE OF THE CLERK

FILED: July 8, 2010

ATTEST: Susan M. Hudson  
Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)*

*Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.*